

Appl. No. : 10/768,534
Filed : January 30, 2004

REMARKS

The following remarks are responsive to the August 10, 2004 Office Action. Claims 1-17 remain as originally filed and are presented for further consideration. Please reconsider the claims in view of the following remarks.

Response to Rejection of Claims 1-8, 13, and 15-17 for Obviousness-Type Double Patenting

In the August 10, 2004 Office Action, the Examiner rejects Claims 1-8, 13, and 15-17 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-4 of U.S. Patent No. 6,751,113 to Bhakta et al.

Applicants have submitted herewith a Terminal Disclaimer in compliance with 37 C.F.R. § 1.321(c) to overcome this rejection. Applicants respectfully request that the Examiner withdraw the rejection and pass Claims 1-8, 13, and 15-17 to allowance.

Comments on Allowable Subject Matter

In the August 10, 2004 Office Action, the Examiner objects to Claims 9-12 and 14 as being dependent upon a rejected base claim, but states that these claims would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 9 depends from Claim 6, which depends from Claim 1. Each of Claims 10 and 11 depends from Claim 9. Claim 12 depends from Claim 1. Claim 14 depends from Claim 13, which depends from Claim 1. As discussed above, Applicants have submitted herewith a Terminal Disclaimer to overcome the rejection of Claims 1-8, 13, and 15-17. Applicants submit that Claims 9-12 and 14 are in condition for allowance and Applicants respectfully request that the Examiner withdraw the objection to Claims 9-12 and 14 and pass these claims to allowance.

Comments on Examiner's Statement of Reasons for the Indication of Allowable Subject Matter

Applicants respectfully disagree with the Examiner's statement of reasons for the indication of allowable subject matter to the extent that the limitations recited by the Examiner are not present in all of the claims indicated by the Examiner.

To the extent that there is any implication that the patentability of the claims rests on the recitation of a single feature, Applicants respectfully disagree with the Examiner's statement because it is the combination of features that makes the claims patentable. Accordingly,

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Applicants submit that the claims of the present application are allowable because each of the claims recites a combination of features that are not taught or suggested by the prior art.

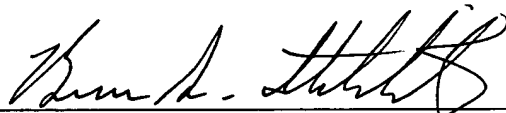
Summary

For the foregoing reasons, Applicants submit that Claims 1-17 are in condition for allowance, and Applicants respectfully request such action.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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By: 
Bruce S. Itchkawitz
Registration No. 47,677
KNOBBE, MARTENS, OLSON & BEAR, LLP
Attorney of Record
2040 Main Street
Fourteenth Floor
Irvine, CA 92614
(949) 760-0404

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